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From: Cohen, Nancy
Sent: Fri 2/14/2014 11:20:54 PM
Subject: Fw: Statements/Responses Issued by HQ to Media on W. Va. Spill -- 2/14/14
Statements~Responses on W. Va. Spill -- 2~14~14.DOCX

FYI

From: Jones, Enesta
Sent: Friday, February 14, 2014 6:02:00 PM
To: Behringer, Caroline; Bloomgren, David; Lincoln, Larry; Harris-Young, Dawn; Pinkney, James; Hull, George; Smith, Bonnie; White, Terri-A; Irizarry, Gilberto; Ames, Jeremy; Thomas, Latosha; Deitz, Randy; Cohen, Nancy; Smith, Roxanne; Cohen, David; Marraccini, Davina; Tingley, Kevin; Belknap, Andra; Jones, Enesta; Mathis, Tashima
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By HQ:

- To Pat Rizzuto of BNA

1) Elk River

a) Did West Virginia and/or CDC ask for EPA's help following the spill?

b) If so, when?

c) What offices got involved e.g. regional? Water? Waste?

RESPONSE: West Virginia requested EPA's expertise and technical assistance on Jan. 10, day-two of the spill response. EPA Region 3 provided two on-scene coordinators from the Hazardous Sites Cleanup Division (waste program) to help with State-led efforts to control the source of the spill at Freedom Industries' tank farm in Charleston. The State and West Virginia American Water Company (WVAWC) developed a flushing protocol for homeowners to flush their household plumbing. After the State and WVAWC posted the protocol on their respective websites, EPA drinking water experts in Region 3 and in the Office of Water at headquarters collaborated in reviewing the flushing protocol. EPA offered comments to the State to make improvements in the clarity of the instructions.

d) Did New Chemicals folks from OPPT get involved? The reason I'm asking is that they have the expertise in structure activity analysis, so even if data on MCHM was Spartan, perhaps they could help with SAR?

RESPONSE: OPPT has provided background on information the Office had on this chemical, but has not done this type of analysis on this chemical or on analogs.

2) HPV data

a) Can you get me the following data by Friday? Can you let me know by Wednesday if that is doable:

1) Number of HPV chemicals sponsored under the voluntary chemical challenge program;

RESPONSE: 2,238 chemicals were sponsored either directly or indirectly through the HPV Voluntary Challenge Program. Companies sponsored 1,280 chemicals directly with EPA as part of the HPV Challenge Program. The 858 other chemicals were sponsored by companies through the International

Council of Chemical Associations (ICCA).

2) Number of sponsored chemicals for which data submissions are complete.

RESPONSE: Of the 2,238 chemicals sponsored, data were received for 82 percent (1,843 chemicals). 1,366 of the 1,380 (99 percent) direct-sponsored chemicals have data 477 of the 858 (56 percent) indirect-sponsored chemical have data.

3) Number of HPV chemicals that have been subject to test rules;

RESPONSE: 46 HPV chemical substances have been subject to the three HPV test rules. However, EPA later determined that two of these chemical substances were not subject to the test rules based on post-publication information.

4) Number of the HPV test rule chemicals for which the EPA has a complete data set;

RESPONSE: EPA has a complete data set for 21 of the 44 HPV chemical substances that are subject to the test rules. Testing is on going for the remaining 23 HPV chemical substances.

5) Status of 4th HPV test rule

RESPONSE: EPA has determined that obtaining and reviewing data for the HPV 4 chemicals that continue to be HPV is a lower priority for human health and environmental protection than other actions the program has underway, including risk assessment and management for its work plan chemicals.

b) MCHM was a high production volume chemical at times. Indeed it was included among the group of HPV chemicals added to the Priority Testing List in the 58th ITC Report.

c) I cannot find any evidence that it was removed. Is it still on the list?

d) Was it removed and when?

e) What is the status of efforts to get data on it?

RESPONSE: The HPV Challenge program only included HPV chemicals that were HPV in the 1998 inventory update reporting rule (IUR). MCHM was not an HPV chemical in the 1998 IUR. MCHM was never added to the Priority Testing List (PTL) by the Interagency Testing Committee (ITC). The chemical MCHM was referenced as HPV in an appendix to the 58th ITC report in January 2006 because it was one of 286 new HPV chemicals reported to the 2002 IUR. EPA's efforts have shifted from gathering screening level data on HPV chemicals to assessing and taking action, as appropriate, on chemicals that may pose a concern.

6) Similarities/differences to C8 (PFOA) drinking water contamination incident in WV in early 2000s.

a. What similarities/differences does EPA see between the recent Elk River spill and lack of data about that chemical and the C8 chemical that goes into the drinking water of WV and OH residents in the early 2000s?

RESPONSE: Although MCHM and PFOA appear to be similar in that both chemicals lacked data initially, they are very different in terms of their hazard profiles, sources, and exposure.

- PFOA and MCHM have different toxicity and bioaccumulation characteristics.

- PFOA releases were continuous releases from DuPont's Teflon production facility in Parkersburg, West Virginia. MCHM releases were from a spill.

- PFOA exposures occurred over an extended period of time – many years, possibly decades. . MCHM exposures lasted only days.

- People are exposed to PFOA via multiple sources and multiple pathways. Exposures to MCHM were primarily through water and the source is known.

MCHM and PFOA have different hazard and exposure profiles. The types of risks they present are expected to be different.

b. Can EPA describe the amount of data was or was not available on C8?

RESPONSE: At the time of the PFOA contamination, there were risk concerns as a result of developmental toxicity data, the carcinogenicity data, and the blood monitoring data. In September 2002, EPA initiated a priority review of PFOA and identified substantial uncertainties associated with PFOA. Subsequently, in 2003, EPA published a notice (73 FR 18626) identifying EPA's data needs, including data on sources of PFOA and pathways of exposure to PFOA.

c. Available on analogous chemicals (e.g. PFOS)?

RESPONSE: In 1999, EPA began investigating PFOS after receiving data indicating that PFOS was persistent, toxic, and bioaccumulative. These data also showed that PFOS had been found in very low concentrations in the blood of the general population and in wildlife around the world.

In June 2000, EPA expanded its investigation of PFOS to encompass other fluorochemicals, including PFOA, in order to determine whether these other fluorochemicals might present concerns similar to those found with PFOS. EPA was concerned in part because 3M had also found PFOA in human blood during the studies on PFOS. Similarly, EPA subsequently expanded the investigation to all long-chain perfluorinated chemicals.

d. During the ECA negotiations to obtain environment, transport and fate data on PFOA and related chemicals, the EPA was unable to obtain certain types of data. What was that data that it wanted but could not get through the negotiated consent agreement process?

RESPONSE: EPA and parties were unable to reach agreements under Enforceable Consent Agreements (ECAs) for Aged Articles of Commerce (AAOC) Testing and Biodegradation Testing.

AAOC testing ECAs were expected to determine potential presence of PFOA emitted from fluoropolymer-treated products and articles as they age during use. EPA and the Fluoropolymers Manufacturing Group (FMG) spent almost two years working towards developing new methods to find whether PFOA is generated when fluoropolymers, such as nonstick coatings for cookware and stain and grease repellant coatings, are heated to temperatures near their melting point. In 2006, EPA and the FMG ended their discussions on aged articles of commerce testing under the terms of the ECA. EPA's National Risk Management Research Laboratory (NRMRL) continued the work on aged articles and has developed testing protocols for aged article testing.

After not reaching an ECA on conducting fluorotelomer biodegradation testing under the terms of the ECA, industry and Office of Research and Development's (ORD) National Exposure Research Laboratory (NERL) and NRMRL embarked on separate, independent testing programs to determine whether the telomer polymer backbone may break down to produce PFOA. NERL has developed methods for detecting the presence of PFOA in soils, and NRMRL has developed methods for detecting the presence of PFOA in wastewater systems.

From: Jones, Enesta
Sent: Thursday, February 13, 2014 4:59:28 PM

To: Behringer, Caroline; Bloomgren, David; Lincoln, Larry; Harris-Young, Dawn; Pinkney, James; Hull, George; Smith, Bonnie; White, Terri-A; Irizarry, Gilberto; Ames, Jeremy; Thomas, Latosha; Deitz, Randy; Cohen, Nancy; Smith, Roxanne; Cohen, David; Marraccini, Davina; Tingley, Kevin; Belknap, Andra; Jones, Enesta

Subject: Statements/Responses Issued by Region to Media on N.C. Coal Ash Spill -- 2/13/14

Statements/Responses Issued by Region to Media on NC Coal Ash Spill -- 2/13/14

By Region 3

- To Denice Thibodeau of Danville Register and Bee

Field operations at the Duke Energy spill site in Eden, NC, are suspended as a result of inclement weather.

The site is now stabilized, and the Unified Command (UC) will continue to monitor the situation during the storm. The UC is prepared to respond as needed.

Operations are expected to resume on Friday, weather permitting.

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